AUG 2 7 2001

<u>IN 35/1E UNITED STATES PATENT AND TRADEMARK OFFICE</u>

In re Application of:

Baron et al.

Serial No: 09/021,660

Filed:

February 10, 1998

For:

Methods for Modulating

Hematopoiesis and Vascular Growth

Attorney Docket No.

HUIP-P01-060

Art Unit:

1646

Examiner:

C. Kaufman

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail, postage prepaid, in an envelope addressed to: Assistant Commissioner for Patents Washington, D.C. 20231 on the date indicated below:

August 23, 2001

Date of Signature and of Mail Deposit

Karen DiRocco

Assistant Commissioner of Patents Washington, D.C. 20231

PRELIMINARY AMENDMENT

Sir:

This amendment is being filed in reply to the outstanding Office Action, mailed January 3, 2001, in connection with the above application. Applicants thank the Examiner for courtesies extended during a telephonic interview on August 2, 2001. Please enter the following amendments:

In the specification:

On page 11, line 20, please reinstate the following paragraph:

E

"Synergistic effect" is defined here as for two or more compounds where little or no biological effect is observed with the compounds alone but together the compounds have a potent biological effect.

On page 22, please replace the second paragraph of the application as filed, including paragraphs inserted by amendment on February 22, 2000, with: